

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NICKOLA PIRINSKI,

Plaintiff,

V.

TREASURY DEPARTMENT FINANCIAL
MANAGEMENT,

Defendant.

Civil Action No. 11-3779 (SDW) (MCA)

ORDER

January 24, 2012

ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE

This matter comes before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Madeline C. Arleo filed on December 9, 2011, regarding Defendant United States Department of Treasury’s (“the Treasury”) motion to dismiss Plaintiff Nickola Pirinski’s Complaint for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1), or alternatively, to dismiss for failure to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6), or for a more definite statement pursuant to Fed. R. Civ. P. 12(e). No objections have been filed.¹

The Court has reviewed the R&R, the brief, and the other documents on file in this matter. Based on the foregoing, and for good cause shown,

IT IS on this 24th day of January 2012,

ORDERED that Magistrate Judge Arleo's R&R filed on December 9, 2011, is **ADOPTED** by this Court in its entirety; and it is further

¹ Objections were due by December 23, 2011.

ORDERED that the Treasury's motion to dismiss for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1) is **GRANTED**; and it is further

ORDERED that, alternatively, the Treasury's motion to dismiss for failure to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6) is **GRANTED**.

s/ Susan D. Wigenton, U.S.D.J.

cc: Magistrate Judge Madeline C. Arleo